

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 5639 of 2015 (D)

PETITIONER(S):

**M.K. NANDAKUMAR,
MANAGING PARTNER, KWALITY CONSTRUCTION
AND BUILDING BLOCK, PUTHIYAROAD,
MEVELLOOR, KOTTAYAM.**

BY ADV. SRI.P.P.JACOB.

RESPONDENT(S):

- 1. THE LOCAL LEVEL MONITORING COMMITTEE,
VELLOOR GRAMA PANCHAYATH, VELLOOR,
PIN-686 501, REPRESENTED BY ITS CONVENER.**
- 2. THE VILLAGE OFFICER,
VELLOOR VILLAGE, KOTTAYAM, PIN-686 501.**
- 3. THE TAHSILDAR,
TALUK OFFICE, VAIKOM, PIN-686 141.**
- 4. THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
PALAI, KOTTAYAM, PIN-686 575.**

R2 TO R4 BY GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 - TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE VELLOOR GRAMA PANCHAYATH DATED 20-01-2015.
- EXT.P2 - TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE VELLOOR GRAMA PANCHAYATH DATED 12-02-2015.
- EXT.P3 - TRUE PHOTOCOPY OF THE BUILDING PERMIT ISSUED BY THE VELLOOR GRAMA PANCHAYATH TO THE PETITIONER DATED 09-04-2014.
- EXT.P4 - TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE R.D.O, PALAI DATED 25-01-2012.
- EXT.P5 - TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE VELLOOR GRAMA PANCHAYATH DATED 30-03-2012.
- EXT.P6 - TRUE PHOTOCOPY OF THE CERTIFICATE ISSUED BY THE TAHSILDAR, VAIKOM DATED 11-07-2006.
- EXT.P7 - TRUE PHOTOCOPY OF THE RELEVANT PORTION OF THE DRAFT DATA BANK RELATING TO THE PROPERTY OF THE PETITIONER MAINTAINED BY THE VELLOOR GRAMA PANCHAYATH.
- EXT.P8 - TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE AGRICULTURAL OFFICER DATED 14-05-2013.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 5639 of 2015

Dated this the 23rd day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ of certiorari or any other writ or order calling for the records leading to the issue of Ext.P7 and quash the same.

ii. Issue a writ of mandamus or other writ or order directing the first respondent to consider and dispose of Ext.P8 representation after considering the bidding nature of Ext.P4 to P6 orders and delete the property of the petitioner from the Draft Data Bank.

iii. Issue such other reliefs which may be deem fit and proper in the facts and circumstances of the above writ petition."

The learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by way of Ext.P8 representation and that the petitioner will be satisfied, if a direction is given to the 1st respondent to have it considered and finalized within a reasonable time.

2. Heard the learned Government Pleader as well, who submits that, the application preferred by the petitioner would be

positively considered in view of the ruling rendered by a Division Bench of this Court in **Adani Infrastructure & Developers Pvt. Ltd. v. State of Kerala** (2015 (1) KLT 651).

3. After hearing both the sides, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext.P8 in accordance with law, with reference to the relevant documents, also in the light of the decision cited supra, after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the first respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE.